



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Consider adopting an urgency ordinance amending commercial rates relating to 10 to 50 cubic yard roll-off boxes

MEETING DATE: December 16, 1992

PREPARED BY: Assistant City Manager

RECOMMENDED ACTION: That City Council adopt attached Ordinance No. 1563.

BACKGROUND INFORMATION: At its regular meeting of November 4, 1992, City Council considered the adoption of ordinances which would have established industrial rates and industrial refuse collection as a service which must be provided by the City's contract waste hauler. At its meeting of November 18, 1992, Council tabled these ordinances in favor of considering the introduction of Ordinance No. 156 regarding the regulating of all industrial waste haulers. This ordinance has been included on today's agenda.

Although rates have been established for the collection of 1 to 6 cubic yard commercial bins, this course of events has prevented the City from establishing rates for 10 to 50 cubic yard roll-off boxes. Nevertheless, the City is responsible for regulating solid waste collection rates for commercial customers. California Waste Removal Systems indicates there are roughly 15 commercial customers in the City who use, or often use, large roll-off boxes. So that there is standardization of charges for collection and disposal of commercial solid waste collected in roll-off boxes on extra large commercial loads Council is asked to conduct a public hearing to consider adopting standardized rates for this service. California Waste Removal Systems indicates that all customers who may be affected by these charges have been notified of tonight's public hearing.

FUNDING: None

Respectfully submitted,

Jerry L. Glenn
Assistant City Manager

Prepared by Kirk J. Evans
Administrative Assistant to the City Manager

COUNCOM6/TXTA.TLP

APPROVED: _____

THOMAS A. PETERSON
City Manager



recycled paper

ORDINANCE NO. 1563

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AN UNCODIFIED URGENCY ORDINANCE OF THE LODI CITY COUNCIL
AMENDING LODI MUNICIPAL CODE CHAPTER 13.16,
RELATING TO COMMERCIAL 10 to 50 CUBIC YARD ROLL-OFF BOXES

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BE IT ORDAINED BY THE LODI CITY COUNCIL, as follows:

SECTION 1. Lodi Municipal Code Chapter 23.16 - SOLID WASTE - as it relates to commercial solid waste collection rates is hereby amended to read as follows:

Rates.

A. The rates to be charged for commercial 10 to 50 cubic yard roll-off box collection service shall be as follows:

1. For owners or tenants of business houses, the rates shall be as set forth in the Commercial 10 to 50 Cubic Yard Roll-Off Box Rate Structure schedule attached, when such service is requested.

B. All of the rate schedules set forth in this section shall be effective on all bills which are prepared on or after January 2, 1993.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This is an urgency ordinance under Government Code Section 36934, and is based on health, safety and welfare considerations arising from the need to collect appropriate fees for waste removal.

SECTION 4. This urgency ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect immediately.

SECTION 5. The City Council of the City of Lodi hereby finds and declares pursuant to Public Resources Code Section 21080 that the commercial refuse collection rates established in Ordinance 1563 are necessary and reasonable for the usual operating expenses of the Franchisee, including employee wages and benefits and for the purpose of purchasing facilities, equipment, and materials.

Approved this 16th day of December 1992



PHILLIP A. PENNINO, Mayor

Attest :


ALICE M. REIMCHE
City clerk

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State of California
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1563 was adopted as an urgency ordinance at a regular meeting of the City Council of the City of Lodi held December 16, 1992, and was thereafter passed, adopted and ordered to print by the following vote:

Ayes : Council Members - Davenport, Mann, Sieglock, Snider
and Pennino (Mayor)

Noes : Council Members - None

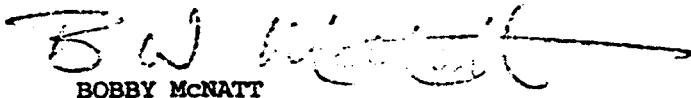
Absent : Council Members - None

Abstain: Council Members - None

I further certify that ordinance No. 1563 was approved and signed by
the Mayor on the date of its passage and the same has been published
pursuant to law.


ALICE M. REIMCHE
City Clerk

Approved as to Form


BOBBY McNATT
City Attorney

ORD1563/TXTA.02J

COMMERCIAL 10 TO 50 CUBIC YARD ROLL-OFF BOX RATE STRUCTURE; SCHEDULE

CONTRACT HIGH FREQUENCY DROP RATES

| | | |
|----|---|-------------------|
| 1. | Drop-off/Pick-up Charge Per Box | \$90.00 |
| 2. | Tons Disposed/Box x Processing Charge Processing Charge | x\$25.00 <hr/> |
| 3. | Franchise Pee | (4% of 1+2) |
| | TOTAL BILL (1+2+3) | ----- |

ONE-TIME DROP RATE

| | | |
|----|---|-------------------|
| 1. | Drop-off/Pick-Up Charge Pet Box | \$147.00 |
| 2. | Tons Disposed/Box x processing Charge Processing Charge | x\$25.00 <hr/> |
| 3. | Franchise Pee | (4% of 1+2) |
| | TOTAL BILL (1+2+3) | ----- |

DECLARATION OF MAILING

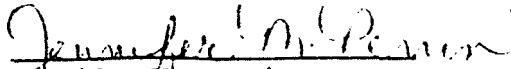
On November 23, 1992 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a **copy** of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 23, 1992, at Lodi, California.

Alice M. Reimche
City Clerk


Jennifer M. Perrin
Deputy City Clerk



CITY OF LODI

CARNEGIE FORUM

305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: December 16, 1992

Time: 7:30 p.m.

For information regarding this Public Hearing
Please Contact:

Alice M. Reimche
City Clerk
Telephone: 333-6702

NOTICE OF PUBLIC HEARING

December 16, 1992

NOTICE IS HEREBY GIVEN that on Wednesday, at the hour of 7:30 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing to consider the following matter:

- a) to consider adopting an urgency ordinance amending commercial rates relating to 50 cubic yard roll-off boxes.

All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order Of the Lodi City Council:

Alice M. Reimche
Alice M. Reimche
City Clerk

Dated: November 18, 1992

Approved as to form:

Bobby W. McNatt
City Attorney

**REFUSE RATES
MAILING LIST
EXHIBIT B**

Kirk Evans
Administrati ve Assistant to the City Manager

Sanitary City Disposal Company
Attention: Dave Vaccarezza
P.O. Box 319
Lodi, CA 95241